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**MMP&S**

**MILBER MAKRIS PLOUSADIS & SEIDEL**

ATTORNEYS AT LAW  
1000 WOODBURY ROAD SUITE 402 WOODBURY, NY 11797  
TELEPHONE: 516.712.4000 FAX: 516.712.4013  
HTTP://WWW.MILBERMAKRIS.COM

April 30, 2020

**VIA ECF**

The Honorable Katherine H. Parker  
Daniel Patrick Moynihan  
United States Courthouse  
500 Pearl Street  
New York, NY 10007-1312

Defendant's application is denied without prejudice. Defendant is directed to meet and confer with Plaintiff with respect to its motion for a stay and to file a joint letter stating each party's position with respect to the stay. Additionally, the parties should indicate what discovery they will need, if any, in order to have meaningful settlement discussions.

Re: *Felix Cortijo v. 1711 Davidson Ave HDFC and UHAB.ORG*  
Index No.: 1:19-cv-03047  
Our File No.: 420-18701

**SO ORDERED:**

*Katherine H. Parker*  
**HON. KATHARINE H. PARKER**  
**UNITED STATES MAGISTRATE JUDGE**

Dear Honorable Magistrate Judge Parker:

We represent the defendant, *1711 Davidson Ave HDFC*, in the above-referenced matter. In our previous correspondence of April 8, 2020, the parties jointly informed the Court that the plaintiff had retained *pro bono* counsel for the limited purpose of pursuing early resolution. On April 9, 2020, Your Honor kindly granted an adjournment of the defendant's time to respond to the Amended Complaint to May 11, 2020. 05/01/2020

The parties' discussion of early resolution began almost immediately thereafter, with plaintiff providing the defendants with an initial settlement demand through his counsel. Before we were able to respond to this demand, however, it was withdrawn by the plaintiff, and we were informed that he was parting ways with his counsel. At present, plaintiff's counsel will only appear to assist him during mediation, her representation does not extend to any other elements of this matter, including informal negotiations. We are currently in the process of scheduling a mediation through the Eastern District mediation program, and our assigned mediator is Amy A. Lehman. Currently, it appears that the mediation will be able to take place sometime in July, and the parties are working to finalizing the date.

Based on these circumstances, we are writing to ask if the Court is willing to institute a general stay of these proceedings, including defendant's deadline to respond to the Amended Complaint, until 30 days after the mediation has taken place. This will afford the parties the best opportunity to negotiate an early resolution while plaintiff has the assistance of counsel, and

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without having to engage in otherwise onerous and potentially unnecessary motion practice right at the onset of this matter. The defendants will be happy to keep the Court informed as to the final date scheduled for mediation, and any other developments that arise during this process which may require Your Honor's attention.

We thank this Honorable Court for its time and consideration.

Respectfully submitted,

MILBER MAKRIS PLOUSADIS  
& SEIDEN, LLP

*John J. Byrnes*

John J. Byrnes

JJB/lf